

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: NOVEMBER 7, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-23931 - APPLICANT/OWNER: CITY OF LAS VEGAS**

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**\*\* CONDITIONS \*\***

The Planning Commission (5-0-1/rt vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 08/14/07, except as amended by conditions herein.
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
5. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.040.
6. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a proposed public park and parking lot on approximately 1.0 acre within the Boulder Avenue public right-of-way between South Main Street and Casino Center Boulevard. The project proposes to create a plaza that includes a public art sculpture that consists of 36 hexagonal glass columns that are 18 feet high placed in a six-by-six grid and are internally illuminated.

The applicant indicates that the proposed plaza will serve as a pedestrian park that will house a public art sculpture provided by the Las Vegas Sculpture Plaza, a neighborhood association. Further, the applicant asserts that the plaza will enhance the area of the City's "First Friday" activities and provide a major attraction for locals and tourist in the Arts District. The proposed development is in keeping with the Downtown Centennial Plan and on-going development in this area; therefore, staff is recommending approval of this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
01/03/07	The City Council adopted the amended Las Vegas Downtown Centennial Plan, which includes the subject project site. Planning Commission and staff recommended approval.
09/27/07	<a href="#">The Planning Commission voted 5-0-1/rt to recommend APPROVAL (PC Agenda Item #43/rts).</a>
<b><i>Related Building Permits/Business Licenses</i></b>	
08/01/07	The Public Works Department received 60% blue line civil plans for review. The blue line civil plans have not been approved as of 09/10/07. No Planning and Development review is required at this stage.
<b><i>Pre-Application Meeting</i></b>	
01/08/07	A pre-application meeting was held, where submittal requirements and elements of this application were discussed.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this application, nor was one held.	
<b><i>Field Check</i></b>	
08/31/07	The Department of Planning and Development conducted a site visit that found that this was a developed street that has existing on-street parking on the eastern portion of Boulder Avenue and streetscaping on the south side of the street west of South 1 <sup>st</sup> Street.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	5.38 (ROW Parcel)
Net Acres	≈ 1.0 (Boulder Plaza Park and Parking Area)

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Right-of-way (Boulder Avenue)	Right-of-way (Boulder Avenue)	Right-of-way (Boulder Avenue)
North	General Retail, Other Than Listed	MXU (Mixed-Use)	C-M (Commercial/Industrial)
	General Retail, Other Than Listed	MXU (Mixed-Use)	C-M (Commercial/Industrial)
	Undeveloped	MXU (Mixed-Use)	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
South	Library, Art Gallery or Museum	C (Commercial)	C-2 (General Commercial)
	Library, Art Gallery or Museum	C (Commercial)	C-2 (General Commercial)
	Parking Lot	C (Commercial)	C-2 (General Commercial)
East	Undeveloped	C (Commercial)	C-2 (General Commercial)
West	Auto Repair Garage, Minor	C (Commercial)	C-M (Commercial/Industrial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District	X		Y
Live/Work Overlay District	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## **DEVELOPMENT STANDARDS**

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements.

There are no development standards applicable to the siting of a pedestrian plaza within the right-of-way. Further, there are no structures proposed as a part of this development; therefore, no comparisons of comparable development standards are available for the pedestrian plaza.

## **ANALYSIS**

The subject site is located within the boundaries of the Las Vegas Redevelopment District of the Southeast Sector Plan of the General Plan, and is designated as right-of-way. This area has a land use designation of MXU (Mixed Use), which allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial); and C (Commercial), which allows uses comparable to the following land use categories: O (Office), SC (Service Commercial), and GC (General Commercial). The proposed use is compatible with these land use designations and the neighboring zoning districts, which are intended for higher intensity commercial uses.

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area. The proposed use is in conformance with Redevelopment Plan policies that encourage innovative, mixed use projects in this area of the City and allows for existing streets to be abandoned, closed or modified as necessary for proper use and/or development.

This section of right-of-way is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the 18b The Las Vegas Arts District. This district, which is within the bounds of the Downtown South district, is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment with its own unique design standards. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan. Specifically, this pedestrian plaza is designated as a part of the Downtown Urban Pathways System. The incorporation of the exhibition of public art furthers the objectives of the overall plan and the district.

Pursuant to Title 19.06.060 properties within the Downtown Centennial Plan area are exempt from the automatic application of development standards for building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. No development standards apply to the proposed development, as no structures are proposed and the plaza is to be sited within the existing public right-of-way.

The project site is within the North Las Vegas Airport Overlay Map portion of the A-O (Airport Overlay) District. This is existing right-of-way with an overlay height limitation of 200 feet. No structures are to be built at this location and the sculptor to be sited within the proposed pedestrian plaza is only 18 feet high. Pursuant to Title 19.06.080 (B), nothing in this section of the Municipal Code shall be construed as prohibiting the construction of any structure (here, siting a piece of public art) to a height of 35 feet above the grade.

The proposed request will be close off Boulder Avenue at Main Street and the western portion of this street would be improved to create a pedestrian plaza with a unique piece of public art at the center. The proposed sculpture consists of 36 hexagonal glass columns that are 18 feet high placed in a six-by-six grid and are internally illuminated. The eastern portion of Boulder Avenue will continue to provide on-street parking.

- **Site Plan**

No structures are proposed for this development. The site plan indicates that the portion of the Boulder Avenue right-of-way that is to be developed for the pedestrian plaza will have a mix of new concrete walkways and decorative pavers. The focus of the plaza will be a piece of public art furnished by a neighborhood organization. The plaza will be protected from vehicular traffic by decorative bollards placed at the east and west perimeters. The central portion of the plaza will be enclosed by a seven-foot high fence with entries at the east and west sides of the sculpture area.

In addition to various landscape planters there are multiple seating areas that will provide areas for members of the community to relax and take in the exhibited sculpture. An entry monument sign that is attuned to the proposed sculpture is indicated for the west entrance to the site, from Main Street, that indicates that this is the Arts District.

The existing on-site parking along the eastern portion of Boulder Avenue is indicated to remain. No improvements for this area, east of the intersection with First Street, are noted.

- **Landscape Plan**

The landscape plan reflects various planters placed around the plaza. To the north and south of the sculpture there are rectangular landscape planters that are just inside the proposed decorative fencing that will contain a total of 52, 15-gallon Japanese Boxwood shrubs. At the northwest corner of the plaza there is an amebic landscape planter that includes three date palms of sizes ranging from 20 to 30 feet high. Within the decorative fence there are four planting cubes that will each contain a 48-inch ash tree that will provide shade to the seating areas at this end of the plaza. There is existing streetscaping along the southern edge of the site that will be removed and replaced by a new planter containing 41, 15-gallon shrubs.

- **Elevations/Floor Plan**

There are no elevations or floor plans are required or provided for this development as no structures are intended for the project site.

The proposed site development plan review is in conformance with the General Plan, promotes the Arts District, and meets the objectives of the Downtown Centennial Plan. For these reasons staff is in support of this site development plan review request.

## **FINDINGS**

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed plaza is compatible with the adjacent development and development in the area, as it will enhance the area and benefit its cultural activities.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

This plaza is being incorporated into the existing right-of-way and is consistent with the General Plan, design standards, landscape, and other standards are established upon approval of the site plan. This development is consistent with the design standards required of comparable facilities in other areas.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The proposed plaza is intended to be a pedestrian park. Vehicular access will no longer be available from Main Street onto Boulder Avenue; however, this should not negatively impact adjacent roadways or neighborhood traffic.

4. **Building and landscape materials are appropriate for the area and for the City;**

Building materials are standard for the area and the City. Landscaping conforms to low-water-usage standards and will enhance the area.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

This project will be harmonious and compatible with surrounding commercial and civic properties, while providing a new aesthetically pleasing pedestrian open space for the surrounding community.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed development is subject to the International Building Code, and therefore the development will not compromise the public health, safety or welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 3

**NOTICES MAILED** 119 by Planning Department

**APPROVALS** 2

**PROTESTS** 0